

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">27-12-04</p> <p>Date Filed</p> <p style="text-align: center;">January 12, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">3</p> <p>Effective Date</p> <p style="text-align: center;">May 26, 2005</p>
<p>Authority/References</p> <p>KRS 119.025, 439.340, 439.346, 439.348, 439.470 439.480(2), 439.560, 500.080(3)(4), 533.030(4), 533.050(2), Kentucky Constitution Section 145(1) P&P ACA 3-3134, 3-3137, 3-3143</p>	<p>Subject</p> <p style="text-align: center;">CONDITIONS OF SUPERVISION DOCUMENT AND REQUEST FOR MODIFICATION</p>	

I. DEFINITIONS

- A. “Conditions of supervision” means a written document that lists the rules with which the offender agrees to comply while on supervision.
- B. “Parole” means a conditional release from a correctional institution by a Paroling Authority that places a parolee under the supervision of a parole officer (officer). The parolee may be subject to return to a correctional institution if found to be in violation of any condition of supervision prior to the maximum expiration date or final discharge by the Paroling Authority.
- C. “Probation” means a procedure whereby a defendant, after a criminal conviction, is placed on supervision by the Court.

II. POLICY and PROCEDURE

- A. Initial Interview: When the offender reports to the officer, the officer shall read and explain the conditions of supervision document including any special conditions, set by the Department of Corrections, the releasing authority and the officer. This shall be done within three (3) working days after release. If special conditions are not immediately available, they should be added to the conditions of supervision document at the offenders next report day. The offender shall place his initials and the date next to the added conditions after they have been reviewed.
- B. Review and Interpretation of Conditions: The officer shall explain and discuss the general and specific conditions of release, defining the behavior expected of the offender. To ensure that the appropriate information and notations regarding supervision of the case and the special conditions of release are incorporated into the conditions of supervision document, the officer shall:
 - 1. Review the case material,

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2. Cross check specific orders of the releasing authority with the items on the conditions to ensure consistency, and
3. Add special conditions of the releasing authority and the officer in the conditions.

After review and discussion of the conditions of release, the offender and the officer shall sign and date the document. Any offender who is unable to write shall make an identifying signature mark. The offender's signature or mark acknowledges receipt of the document and understanding of the conditions.

C. Non English Speaking or Deaf Offender

If an offender does not speak or understand English or is deaf, the officer shall contact the District Supervisor or designee to secure an interpreter for the offender so that he can understand the conditions of supervision document. (3-3134)

D. Distribution of Conditions of Supervision Document

The offender shall be given a copy of the conditions of supervision document and the original shall be retained in the case folder

E. Modification of Conditions

1. Modification of Conditions of Supervision Document

The conditions of supervision document may be changed while the offender is on supervision. If the conditions are changed, the officer shall complete a new conditions of supervision document that shall be signed and dated by the offender and the officer. A copy shall be given to the offender and the original shall be retained in the case folder. An officer may request modification of the conditions of supervision document from the releasing authority with prior approval of the District Supervisor or designee.

2. Modification of Special Conditions Ordered By the Releasing Authority

The officer may request the court or the Parole Board to add, remove, or modify any or all of the special conditions of supervision (3-3143). The releasing authority may modify the special conditions of release for an offender, as appropriate under the facts of the case. Removal of a special condition or the imposition of a new or different condition shall be requested as follows (3-3143):

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a. Recommendations for Modification

Any adjustment in the original special conditions ordered may result from a recommendation by the officer to the releasing authority. The officer shall state the requested modifications and reasons on a supervision reporting document. A special condition ordered by the releasing authority may not be available in the community of supervision. The officer shall prepare a supervision reporting document advising the releasing authority with recommendations or an alternative plan. (3-3137)

b. Recommendation for Adjustment Supervision Fee

For any adjustments regarding the offender's ability to pay a supervision fee ordered by the releasing authority, the officer may recommend modification or waiver of the original order by preparing the request for waiver in accordance with criteria set forth in KRS 439.315.

c. Distribution of Recommendations

Parole – A copy of the supervision reporting document or a waiver adjustment shall be forwarded through the District Supervisor or designee to Central Office. The original shall be retained in the case folder.

d. If the officer is advised that the releasing authority approves the recommendation for modification of the conditions of supervision document, the officer shall advise the offender and make the necessary changes on a new conditions of supervision document. The conditions of supervision document shall be signed and dated by the offender and officer. The offender shall receive a copy, and the original shall be retained in the case folder.